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251 North Avenue West, 2nd Floor
Westfield, NJ 07090**Mayer & Williams, PC**
Attorneys At Law**Fax****To:**
Commissioner for Patents**From:** David Bonham
(703) 433-0510**Fax:** 571-273-8300**Total pages:** 3**Phone:****Date:** 7/9/2007**Re:** In connection with Serial No. 10/748,117,
please find enclosed a response to the Office
communication dated June 11, 2007.**CC:**

Sincerely,

David Bonham

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle****PRIVACY AND CONFIDENTIALITY NOTICE**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Derek O'Hagan et al.
Serial No.: 10/748,117
Filed: 12/29/2003
Title: IMMUNOGENIC COMPOSITIONS CONTAINING PHOSPHOLIPIDS
Art Unit: 1645
Examiner: Nita M. Minnifield
Confirm. No.: 1746
Docket No.: PP020038.003

Via Facsimile: 571-273-8300
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE COMMUNICATION ALLEGING THAT REPLY FILED
4/16/07 WAS NOT FULLY RESPONSIVE TO PRIOR OFFICE ACTION**

Sir:

This is responsive to the Office communication dated June 11, 2007, in which it was alleged that the reply filed April 16, 2007 is not fully responsive to the prior Office Action, because: "Applicants did not respond to the species election in the Restriction Requirement (see page 5) mailed January 16, 2007."

A review of page 5 of the Restriction Requirement mailed January 16, 2007, indicates that two species elections were required: an antigen and a phospholipid. It is believed that these species elections were properly made in applicants reply to that Restriction Requirement, which was filed April 16, 2007.

In particular, at the bottom of page 18 of Applicant's prior reply (available on PAIR), Applicant elected meningitis B as the antigen. Applicant further elected the phospholipid of claim 9 as the phospholipid compound. All parameters (e.g., R¹, a, b, d, d', e, e', d'', e'', X¹, X²,

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$Y^1, Y^2, W^1, W^2, R^2, R^5, R^3, R^6, R^4, R^7, G^1, G^2, G^3, G^4$) are believed to be defined in claim 9.
(These parameters define a compound like that found in paragraph [0079] of the specification.)

To the extent that the Examiner wishes to maintain this rejection, further clarification is requested. It is believed that any further issues in this species election could be readily resolved by a telephone call to the undersigned, and such a call would be welcomed.

Attorney for Applicant
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Respectfully submitted,



David B. Bonham

Registration No. 34,297

Please continue to direct all
correspondence to:
Novartis Vaccines and Diagnostics Inc.
Corporate Intellectual Property R338
P.O. Box 8097
Emeryville, CA 94662-8097

I hereby certify that this correspondence is being
deposited with the United States Patent and Trademark
Office on July 7, 2007 via facsimile to: 571-273-8300.

David B. Bonham

(Printed Name of Person Mailing Correspondence)



(Signature)